



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Set a Public Hearing for June 19, 2002 to consider an appeal from tenant Pablo Palaganas Sr., regarding the Notice and Order to Vacate issued for the property located at 305 E. Maple Street, Lodi.

**MEETING DATE:** June 5, 2002

**PREPARED BY:** Community Development Director

**RECOMMENDED ACTION:** That the City Council set a public hearing for June 19, 2002, to consider an appeal from tenant Pablo Palaganas Sr., regarding a Notice and Order to Vacate issued for the single-family dwelling at the property located at 305 E. Maple Street, Lodi, California.

**BACKGROUND INFORMATION:** Pablo Palaganas Sr. is the tenant of the single-family dwelling located at 305 E. Maple Street, a residential property on which there is a single-family dwelling and a four-unit apartment building. In response to complaints regarding the conditions of the property and the obvious blighted and substandard conditions noted around the single-family dwelling during the inspection of the rear apartment units, code enforcement personnel from the Community Improvement Division had the opportunity to inspect the single-family dwelling and found severe substandard building conditions. Those conditions, which include the lack of required heating facilities, hazardous wiring installations and the improper occupancy of the basement area as living space, warranted that the building be posted with a Notice to Vacate.

Subsequent to the posting of that Notice to Vacate, Mr. Palaganas has appealed and is asking that they be allowed to stay in the dwelling for an additional two months. He states that the place that he has located to move to will not be ready until then.

Mr. Palaganas' appeal to the City Council as our Board of Appeals is in accordance with the requirements of the Uniform Housing Code and the Lodi Municipal Code.

**FUNDING:** No funding required.

Kenradt Bartlam  
Community Development Director

Prepared by Community Improvement Manager Joseph Wood

KB/jw

c: City Attorney  
Property Owner  
Appellant

**APPROVED:** \_\_\_\_\_

  
H. Dixon Flynn -- City Manager

**COMMUNITY DEVELOPMENT DEPARTMENT  
APPLICATION FOR APPEAL  
BEFORE THE LODI CITY COUNCIL**

**SUBJECT ADDRESS OF APPEAL:**

305 E. MAPLE STREET, LODI, CALIFORNIA    PARCEL NO. 047-220-02

**NAME(S) AND OFFICIAL MAILING ADDRESS(ES) OF APPELLANT(S):**

PABLO PALAJANAS

P.O. BOX 751

CLEMENTS, CA 95227

☐ Additional Names Attached

**BRIEF STATEMENT OF INTEREST IN THE SUBJECT ADDRESS:**

Tenant in residence for past nine (9) months. I reside there with an adult son, who  
is unemployed, and a friend and his wife.

☐ Continued On Additional Page

**BRIEF STATEMENT OF THE ORDER OR ACTION PROTESTED, TOGETHER WITH ANY MATERIAL FACTS CLAIMED TO SUPPORT THE CONTENTION OF THE APPELLANT(S):**

Notice to Abate Hazardous Building, posted on May 3, 2002. There are several items  
listed that need to be repaired in order to make the house habitable. I can stop people  
from sleeping in the basement, and I can clean up and remove inoperable cars and junk from  
the property. The rest will have to be done by the Owner.

☐ Continued On Additional Page

**BRIEF STATEMENT OF THE RELIEF SOUGHT AND THE REASONS WHY IT IS CLAIMED THE PROTESTED ORDER OR ACTION SHOULD BE REVERSED, MODIFIED OR OTHERWISE SET ASIDE:**

I am 60 years old. I recently had surgery on my right arm and cannot work. I have located  
a place to move to; however, it will not be ready to occupy for two months. I am requesting  
that I be allowed to remain in the house until the new residence is ready. I have tried  
to find other places but cannot qualify based on my income and disability.

☐ Continued On Additional Page

I, PABLO PALAJANAS DECLARE, UNDER PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION FOR  
APPEAL IS TRUE AND CORRECT.

Pablo Palajan Sr.

SIGNATURE

MAY 13, 2002

DATE

**SIGNATURES OF ALL PARTIES NAMED AS APPELLANTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ACCEPTED BY: [Signature]

DATE: 5/13/02

TIME: \_\_\_\_\_

\$250.00 FEE PAID: \_\_\_\_\_

CHECK NO. #2917

FEE WAIVED: \_\_\_\_\_



## **DECLARATION OF MAILING**

**Set Public Hearing for June 19, 2002 to consider an appeal from tenant Pablo Palaganas, Sr. regarding Notice and Order to Vacate issued for the property located at 305 East Maple Street, Lodi**

On June 6, 2002 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, and additionally, United States certified mail envelopes with first-class postage prepaid thereon and indication of return receipt requested, containing a letter of notification, a copy of which is attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

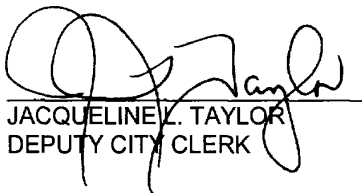
I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 6, 2002, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON  
CITY CLERK, CITY OF LODI**

ORDERED BY:

  
JACQUELINE L. TAYLOR  
DEPUTY CITY CLERK

\_\_\_\_\_  
JENNIFER M. PERRIN  
DEPUTY CITY CLERK



## **MAILING LIST**

### **PUBLIC HEARING FOR JUNE 19, 2002 TO CONSIDER AN APPEAL FROM TENANT PABLO PALAGANAS, SR. REGARDING NOTICE AND ORDER TO VACATE ISSUED FOR THE PROPERTY LOCATED AT 305 EAST MAPLE STREET, LODI**

#### **Property Tenant Appealing Order:**

Pablo Palaganas, Sr.  
P.O. Box 751  
Clements, CA 95227

(sent 2 letters, one via U.S. mail and one via U.S. Certified mail)

#### **Property Owner of Record:**

Kaur Ashwinder & Amar Singh Mathfallu  
P.O. Box 581  
Acampo, CA 95220

(sent copy of letter via U.S. mail)

#### **Other Tenants at that Property:**

Cielo Hernandez  
305½ East Maple Street #1  
Lodi, CA 95240

(sent copy of letter via U.S. mail)

Gabriel & Maria Cepeda  
305½ East Maple Street #2  
Lodi, CA 95240

(sent copy of letter via U.S. mail)

CITY COUNCIL

PHILLIP A. PENNINO, Mayor  
SUSAN HITCHCOCK,  
Mayor Pro Tempore  
EMILY HOWARD  
KEITH LAND  
ALAN S. NAKANISHI

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6702  
FAX (209) 333-6807  
cityclrk@lodi.gov

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney

June 6, 2002

MAILED CERTIFIED MAIL #7000 1670 0008 4483 0954  
AND REGULAR U.S. POSTAL DELIVERY

Pablo Palaganas, Sr.  
P.O. Box 751  
Clements, CA 95227

**RE: PUBLIC HEARING FOR JUNE 19, 2002 TO CONSIDER AN APPEAL FROM  
TENANT PABLO PALAGANAS, SR. REGARDING NOTICE AND ORDER TO  
VACATE ISSUED FOR THE PROPERTY LOCATED AT 305 EAST MAPLE  
STREET, LODI**

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This letter is to notify you that a Public Hearing will be held by the City Council on **Wednesday, June 19, 2002**, at 7:00 p.m., or as soon thereafter as the matter can be heard, at the Carnegie Forum, 305 W. Pine Street, Lodi.

This hearing is being held to consider the appeal of Pablo Palaganas, Sr. regarding the Notice and Order to Vacate issued for the property located at 305 East Maple Street, Lodi.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.  
*Note: Written correspondence for the City Council may be mailed in c/o the City Clerk's Office, P.O. Box 3006, Lodi, CA 95241-1910, or delivered to the City Clerk at 221 West Pine Street, Lodi, California.*

All proceedings before the City Council are conducted in English. The City of Lodi does not furnish interpreters, and, if one is needed, it shall be the responsibility of the person needing one.

Should you have any questions, please contact Community Improvement Manager Joseph Wood in the Community Development Department at (209) 333-6823.

Sincerely,



Susan J. Blackston  
City Clerk

SJB/JLT  
cc: Community Development Director  
Kaur Ashwinder and Amar Singh Mathfallu  
Cielo Hernandez  
Gabriel & Maria Cepeda

# CITY OF LODI

CITY HALL, 221 W. PINE ST.  
P. O. BOX 3006  
LODI, CALIFORNIA 95241-1910


Office of the City Clerk

Pablo Palaganas, Sr.  
P.O. Box 751  
Clements, CA 95227

<b>SENDER:</b> ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Pablo Palaganas, Sr. P.O. Box 751 Clements, CA 95227		4a. Article Number 7000 1670 0008 4483 0978	
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt Requested <input type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
5. Received By: (Print Name)		7. Date of Delivery	
8. Addressee's Address (Only if requested and fee is paid)			

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF RETURN ADDRESS. FOLD AT DOTTED LINE.

**CERTIFIED MAIL**



U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
Postage	\$ .34
Certified Fee	2.10
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	—
<b>Total Postage &amp; Fees</b>	<b>\$ 3.94</b>

Sent to: Pablo Palaganas, Sr.  
 Street: PO Box 751  
 City/State/Zip: Clements, CA 95227

Thank you for using Return Receipt Service.



## **DECLARATION OF POSTING**

### **Set Public Hearing for June 19, 2002 to consider an appeal from tenant Pablo Palaganas, Sr. regarding Notice and Order to Vacate issued for the property located at 305 East Maple Street, Lodi**

On Thursday, June 6, 2002 in the City of Lodi, San Joaquin County, California, a copy of Notice of Public Hearing for June 19, 2002 to consider an appeal from tenant Pablo Palaganas, Sr. regarding Notice and Order to Vacate issued for the property located at 305 East Maple Street, Lodi (attached hereto, marked Exhibit "A") was posted at the following four locations:

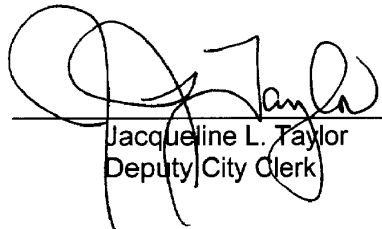
Lodi Public Library  
Lodi City Clerk's Office  
Lodi City Hall Lobby  
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 6, 2002 at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON  
CITY CLERK**

  
\_\_\_\_\_  
Jacqueline L. Taylor  
Deputy City Clerk

\_\_\_\_\_  
Jennifer M. Perrin  
Deputy City Clerk



## CITY OF LODI

**Carnegie Forum**  
305 West Pine Street, Lodi

## NOTICE OF PUBLIC HEARING

**Date:** June 19, 2002

**Time:** 7:00 p.m.

For information regarding this notice please contact:

**Susan J. Blackston**  
City Clerk  
Telephone: (209) 333-6702

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, June 19, 2002** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) an appeal from tenant Pablo Palaganas, Sr. regarding Notice and Order to Vacate issued for the property located at 305 East Maple Street, Lodi, California.

Information regarding this item may be obtained in the office of the Community Development Department Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston  
City Clerk

**Dated:** June 5, 2002

Approved as to form:

Randall A. Hays  
City Attorney